

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

In the Matter of)

Implementation of the Pay)
Telephone Reclassification and)
Compensation Provisions of the)
Telecommunications Act of 1996)

CC Docket No. 96-128

CC Docket No. 91-35

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FEB 27 1997

Federal Communications Commission
Office of Secretary

AT&T'S COMMENTS ON NYNEX'S
COMPARABLY EFFICIENT INTERCONNECTION PLAN

Pursuant to the Commission's Public Notice released January 8, 1997,¹ AT&T Corp. ("AT&T") hereby submits these comments on the NYNEX Telephone Companies' ("NYNEX's") comparably efficient interconnection ("CEI") plan for payphone service providers.²

In its CEI plan, NYNEX states generally that it will purchase and use the same tariffed services that are available to other providers of payphone services, in accordance with Section 276(b)(1)(C) of the Act. NYNEX further states that it will

¹ Pleading Cycle Established for Comments on Comparably Efficient Interconnection Plans for Payphone Service Providers, Public Notice, CC Docket No. 96-128, DA 97-31, released January 8, 1997.

² The Commission required the Bell Operating Companies ("BOCs") to file CEI plans in Implementation of the Pay Telephone Reclassification and Compensation Provisions of the Telecommunications Act of 1996, Report and Order, FCC 96-388, released September 20, 1996 ("Payphone Order"); and Order on Reconsideration, FCC 96-349, released November 8, 1996 ("Reconsideration Order").

satisfy the Commission's additional requirement that the BOCs meet the nonstructural safeguards standards adopted for their enhanced service offerings in Computer Inquiry III.³ In these comments, AT&T seeks clarification of certain aspects of NYNEX's service that are not specifically addressed in the CEI plan.

First, NYNEX should make clear that its Public Access SmartLine ("PASL") service will be made available on a non-discriminatory basis to all payphone service providers. This service provides certain functions, such as coin signalling and coin rating, to customer provided payphones that are commonly referred to as "dumb sets." NYNEX's filed tariffs state that "PASLs are furnished from suitably equipped central offices, subject to the availability of facilities."⁴ At a minimum, NYNEX should be required to amend its CEI plan to clarify that the PAL coin line service will be available to non-NYNEX payphone service providers at every central office where such service is provided to NYNEX's payphone service affiliate, and to reflect such conditions of availability in its tariffs.

³ See Amendment of Section 64.702 of the Commission's Rules and Regulations (Computer Inquiry III), Report and Order, 104 F.C.C.2d 958 (1986).

⁴ See, e.g., New York Telephone Company, P.S.C. No. 900 -- Telephone, Section 3, Original Page 14, filed December 31, 1996, attached as Attachment A to NYNEX's CEI Plan.

Further, NYNEX's CEI plan fails to address the Commission's requirement that LECs ensure transmission of codes that enable interexchange carriers to track payphone calls. Pursuant to the Reconsideration Order (para. 94), NYNEX is required to offer services "that provide a discrete code to identify payphones that are maintained by non-LEC providers." Accordingly, NYNEX should provide, in its CEI plan, detail on the types of codes it will use to identify NYNEX payphones and the payphones of non-affiliated providers. Whatever codes NYNEX chooses to use, those codes should be transmitted for both PASL service and Coin Compatible Public Access Line service, in order to prevent discrimination between users of the different services.⁵

NYNEX's CEI plan also does not address NYNEX's proposed treatment of uncollectibles due to fraud. To the extent that NYNEX establishes a policy of foregoing uncollectibles due to fraud for its payphone service affiliates, the same treatment must be accorded to non-affiliates, regardless of whether such

⁵ The Southwestern Bell Telephone Company ("SWBT") has addressed this issue in its CEI plan by stating that "[a]s required by paragraph 64 of the Reconsideration Order, at the time per-call compensation becomes effective, [SWBT's Customer Owned Pay Telephone Service] lines will transmit coding digits which will specifically identify them as payphone lines." See SWBT CEI plan, Exhibit B, page 1 of 4, filed December 30, 1996. NYNEX similarly should explicitly state its intention to provide the required screening information.

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practice appears in NYNEX's tariffs. In order to ensure such nondiscriminatory treatment, NYNEX should be required to modify its CEI plan to address this issue directly.

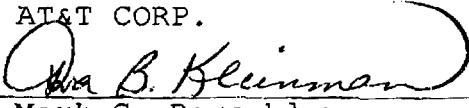
Finally, NYNEX's CEI plan does not address how NYNEX will ensure that the primary interexchange carrier ("PIC") selection process for payphones will be performed in a non-discriminatory manner. As NYNEX becomes both a provider of interexchange services and the administrator of the PIC selection process, it is imperative that its CEI plan describe adequate and appropriate safeguards to ensure fairness in that process.

For the reasons stated above, before NYNEX's CEI plan is approved, NYNEX should clarify its plan consistent with AT&T's comments.

Respectfully submitted,

AT&T CORP.

By


Mark C. Rosenblum
Ava B. Kleinman
Seth S. Gross

Its Attorneys

295 North Maple Avenue
Room 3252J1
Basking Ridge, New Jersey 07920
(908) 221-8312

February 7, 1997

CERTIFICATE OF SERVICE

I, Rena Martens, do hereby certify that on this 7th day of February, 1997, a copy of the foregoing "AT&T's Comments on NYNEX's Comparably Efficient Interconnection Plan" was mailed by U.S. first class mail, postage prepaid, to the parties listed below.

Campbell L. Ayling
NYNEX Telephone Companies
1111 Westchester Avenue
White Plains, NY 10605

Janice Myles*
Common Carrier Bureau
Federal Communications Commission
Room 544
1919 M Street, N.W.
Washington, D.C. 20554

International Transcription Service, Inc.*
2100 M Street
Suite 140
Washington, D.C. 20037


Rena Martens

* Hand Delivery